REMARKS

In an Amendment filed on August 15, 2001 in response to the Final Office Action herein, the claims previously have been amended to simplify the issues. In that Amendment, Claim 13 was amended in part to delete the wording "or an immunologically effective portion thereof" with respect to PSMA or PAP. The Amendment inadvertently did not delete this wording from claims 15, 16, 18 or 19 in which it appears and the instant Amendment deletes the wording in order for the claims to have proper antecedent basis. A list of all claims in amended form is included for the convenience of the Examiner.

In addition, claim 13 has been amended to delete the reference to "at least one antigen over-represented in the prostate gland," to more clearly define that these claims are limited to PSMA, PAP and nucleic acids generating these proteins. Further, the nucleic acid is defined as that which generates PSMA, PAP or mixtures thereof in order to more clearly define the nucleic acid. Neither amendment affects the scope of the claims. It is respectfully submitted that these amendments simplify the issues for appeal. Such amendments address the rejections of (a) claims 13 and 17-24 under 35 U.S.C. § 112, first paragraph (written description) discussed on page 2, item 3; and (b) claims 13-24 under 35 U.S.C. § 112, first paragraph (enablement) discussed on page 4, item 4 of the Final Office Action.

No new matter has been added and no new issues have been raised. Entry of this amendment is respectfully requested. Applicants gratefully acknowledge the Examiner's indication in the Advisory Action that the applicants' response overcomes the "rejections over immunologically reactive/effective portion." It is believed that this statement relates to the rejection of claims 13-24 under 35 U.S.C. § 112, first paragraph (enablement) in item 4, page 4 of the Final Office Action.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 204372000301. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 18, 2001 By: _____

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EXHIBIT A. - VERSION WITH MARKINGS TO SHOW CHANGES MADE

13. (Thrice Amended) A method to elicit an antitumor immune response to prostate tumors in a subject, which method comprises

administering to said subject at least one active ingredient formulated for administration to said subject,

[wherein said active ingredient comprises or expresses at least one antigen over-represented in the prostate gland,]

wherein said active ingredient is human prostate-specific membrane antigen (PSMA); or prostatic acid phosphatase (PAP); or mixtures of the foregoing; or

is a nucleic acid that generates PSMA or PAP, or mixtures of PSMA and PAP [said antigen or antigens] *in situ.*

15. (Amended) The method of claim 13 wherein said active ingredient is human PSMA [or said portion thereof].

16. (Amended) The method of claim 13 wherein said active ingredient is PAP [or said portion thereof].

18. (Amended) The method of claim 13 wherein said active ingredient is a nucleic acid that generates PSMA [or said portion thereof] *in situ.*

19. (Amended) The method of claim 13 wherein said active ingredient is a nucleic acid that generates said PAP [or said portion thereof] *in situ.*

20. The method of claim 13 wherein the active ingredient is encapsulated in liposomes and/or coupled to liposomes.

21. The method of claim 20 wherein said liposomes contain an adjuvant.

22. The method of claim 13 which further includes at least one adjuvant that enhances the antitumor immune response.

23. The method of claim 22 wherein said adjuvant is selected from the group consisting of Freund's complete adjuvant; alum; lipid A; monophosphoryl lipid A; *Bacillus Calmette-Guerin* (BCG) or other bacteria polysaccharides; saponins; detoxified endotoxin (DETOX); muramyl tripeptide or muramyl dipeptide or their derivatives; SAF1; lymphokines; cytokines; colony stimulating factors; nonionic block copolymers; and immune stimulating complexes (ISCOMS).

24. The method of claim 13 wherein said subject is afflicted with metastatic prostate cancer; and/or wherein said subject has been surgically treated to excise said tumor but is at risk for recurrence.